

REMARKS/ARGUMENTS

In response to the *Final* Office Action dated June 24, 2009, reconsideration is respectfully requested.

Status of the Claims

Before this Amendment, claims 1-15 and 17-38 were present for examination. Claims 1, 15, and 24 are amended. No claims are canceled or added. Therefore, claims 1-15 and 17-38 remain present for examination, and claims 1, 15, 24, and 34 are the independent claims. No new matter is added by these amendments. A Request for Continued Examination is submitted concurrently herewith.

Applicants respectfully request reconsideration of claims 1-15 and 17-33.

Applicants note with appreciation that claims 34-38 were allowed. Applicants thank the Examiner for the indication of allowable subject matter.

Discussion of Rejections Under 35 U.S.C. §112

Claims 15 and 17-23 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Examiner rejects claim 15 for failing to support the feature “evaluate a validity of the obtained acquisition assistance data.” The Examiner contends that the specification fails to sufficiently disclose the claimed feature. Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph.

Claim 15 recites a method of acquiring a signal. The method of claim 15 recites, as amended, employing measured parameters to “make a validity determination of the obtained acquisition assistance data.” This feature is described in Applicants’ Specification. Applicants’ Specification throughout describes the assessment and extension of data validity, for example at paragraphs [00067]-[00083].

Claims 17-23 are as originally presented, and thus, are expressly supported in the application, as filed, at least by virtue of their original presentation in the application.

Applicants respectfully believe that all claimed features are described in Applicants' Specification, as filed, and thus believes that the requirements of 35 U.S.C. § 112, first paragraph, are satisfied.

Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, first paragraph, of claims 15 and 17-23.

Claim Rejections Under 35 U.S.C. § 103

The Office Action rejected independent claims 1, 15, and 24 under 35 U.S.C. § 103(a) as being unpatentable over Bloebaum, in view of King. Factual findings made by the Office are the "necessary underpinnings to establish obviousness." MPEP § 2141(II). The Office must set forth "the relevant teachings of the prior art relied upon." MPEP § 706.02(j). Additionally, in KSR the Supreme Court noted that the analysis supporting a rejection under 35 U.S.C. § 103 must be made explicit. See MPEP § 2142. As will be discussed below, Applicants respectfully submit that these claims are allowable over the cited art.

Claim 1 recites a method of acquiring a signal. The method includes:

"(c) obtaining an estimate of a receiver clock bias from the previously obtained acquisition assistance data;" and

"(d) evaluating a validity of the previously obtained acquisition assistance data for use in acquiring the particular signal, wherein evaluating the validity is based at least in part on a lapsed time since the estimate of the receiver clock bias was obtained and an amount of a mobile station clock frequency error associated with the receiver clock bias."

Bloebaum describes evaluating the freshness of almanac and ephemeris data stored in memory. See, for example, Bloebaum, FIG. 5, block 308, and FIG. 6, block 410. For example, Bloebaum teaches how a "Mobile terminal 100 ... evaluates the freshness of the information in the almanac or ephemeris that has been accessed (block 308). Evaluating a time stamp and comparing it to a certain threshold may do this. In particular, ephemeris information

is typically valid for approximately four hours. Thus, if the time stamp is less than four hours old, the ephemeris may be considered fresh. It is certainly possible to create other tolerances of freshness as needed or desired.” *Bloebaum*, at Col. 8, line 65 through Col. 9, line 6; *see also* Col. 10, ll. 25-28.

However, *Bloebaum* fails to teach or suggest obtaining an estimate of a receiver clock bias. Moreover, *Bloebaum* fails to teach or suggest that the validity of previously obtained acquisition data is related to the lapsed time since the estimate of the receiver clock bias was obtained. While *Bloebaum* describes evaluating the freshness of almanac and ephemeris data, the age of an estimate of receiver clock bias differs from the age of ephemeris or almanac data of *Bloebaum*.

Moreover, *Bloebaum* fails to teach or suggest that validity of previously obtained acquisition data is based on an amount of a mobile station clock frequency error associated with the receiver clock bias. While *Bloebaum* describes evaluating the freshness of almanac and ephemeris data, a mobile station clock frequency error associated with the receiver clock bias is a different metric.

King fails to cure the deficiencies in *Bloebaum*. King fails to teach or suggest the recited obtaining or evaluating of the validity of acquisition assistance data. The combination of King with *Bloebaum* fails to cure the deficiency in *Bloebaum* alone, where neither reference teaches or suggests the specified limitations.

Applicants respectfully request reconsideration and allowance of claim 1.

Claim 15 recites a method of acquiring a signal. The method includes:

“employing measured parameters of the first of the plurality of signals to make a validity determination of the obtained acquisition assistance data;
calculating, based on the obtained acquisition assistance data and the validity determination, updated acquisition assistance data for a second of the plurality of signals; and
setting a code phase window size responsive to the updated acquisition assistance data.”

The combination of Bloebaum with King fails to teach or suggest these claimed features.

The Office Action cites Bloebaum to teach that the validity of assistance data is evaluated. Office Action, p. 3, ll. 8-9, *citing Bloebaum*, Col. 8, line 64 -9, Col. 9, l. 6.

Bloebaum fails to teach or suggest that measured parameters from a first acquired signal are employed to make a validity determination of acquisition assistance data. Instead, as discussed above, Bloebaum teaches evaluating freshness of almanac and ephemeris data based on determining whether the four hours that the information is valid over has elapsed.

Additionally, Bloebaum fails to teach or suggest calculating updated acquisition assistance data based on first measured parameters and a validity determination. In the portions of Bloebaum cited and discussed by the Examiner, Bloebaum describes obtaining new ephemeris or almanac data when the data is beyond a threshold age.

The Office Action also asserts that the evaluation step carries little weight without further recitation of resultant steps. Claim 15 has been further amended to recite "setting a code phase window size responsive to the updated acquisition assistance data."

King fails to teach or suggest a relationship between measured parameters and validity of acquisition assistance data, or suggest calculating updated acquisition assistance data in the claimed manner. The window size determinations also appear to be absent from King. Thus, the combination of King with Bloebaum fails to cure the deficiencies in Bloebaum.

Applicants respectfully request reconsideration and allowance of claim 15.

Claim 24 recites a method of acquiring a signal at a mobile station including "determining the mobile station has moved in excess of a threshold; and compensating, in response to the determination, the first acquisition assistance data at the mobile station for a new location of the mobile station to aid a search for a signal by the mobile station at a different second location." Neither Bloebaum nor King, whether alone or in combination, teach or suggest this claimed feature.

As discussed above, Bloebaum describes determining freshness of almanac or ephemeris data based on determining whether the four-hour window over which the information

is valid has expired. *See, generally, Bloebaum*, at Col. 8, line 65 through Col. 9, line 6, and Col. 10, ll. 25-28.

Bloebaum does not teach or suggest “determining the mobile station has moved in excess of a threshold”, as set forth in claim 24. Nor does Bloebaum teach that in response to this determination, “the first acquisition assistance data [is compensated] at the mobile station for a new location of the mobile station,” as claimed. Bloebaum fails to relate acquisition assistance data with a new location, and fails to teach or suggest “compensating the first acquisition assistance data.” At most, Bloebaum describes replacing the acquisition assistance data when a predetermined four-hour period of validity has expired.

King fails to teach compensating acquisition assistance data for a new location of the mobile station. Instead, King describes “the satellite position curve fit data and clock correction data is transmitted from the base station 302 at predetermined intervals.”

The cited references, Bloebaum and King, whether alone or in combination, fail to teach or suggest every feature of claim 24. Thus, Applicants respectfully request reconsideration and allowance of claim 24.

Claims 2-14, 17-23, and 25-33 depend, either directly or indirectly, from one of claims 1, 15, or 24 and are believed to be allowable at least for the reason that they depend from an allowable base claim. Applicants respectfully request reconsideration and allowance of claims 2-14, 17-23, and 25-33.

CONCLUSION

In view of the foregoing, all claims now pending in this Application are believed to be in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Applicant believes that the instant response is filed within the shortened statutory period for response provided in the *Final* Office Action of June 24, 2009.

Appl. No. 10/554,629
Amdt. dated September 24, 2009
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 3662

PATENT

If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account. In the event that additional fees are required or credit is due, authorization is hereby given to charge or credit Deposit Acct. No. 17-0026.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned.

Dated: September 24, 2009

Respectfully submitted,

BY:



Andrea L. Mays
Reg. No. 43,721

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121-2779
Tel: 858-651-8546
Fax: 858-658-2502

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